



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,358	12/26/2001	John L. Tetenes JR.	TETJ13A	9629
7590	06/08/2006		EXAMINER	
RICHARD L. MILLER 12 Parkside Drive Dix Hills, NY 11746-4879			ART UNIT	PAPER NUMBER

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/027,358

EXAMINER
----------

ART UNIT	PAPER
----------	-------

20060601

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

***Defective Appeal Brief***

**NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 41.37(c)**

The appeal brief filed 3-23-06 does not contain the items of the brief required by 37 CFR 41.37(c)(1) under the appropriate headings and/or in the order indicated.

The brief does not contain a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v).

The brief does not contain a proper heading for the grounds of rejection to be reviewed on appeal as required by 37 CFR 41.37(c)(1)(vi).

The brief does not need to contain a grouping of the claims as seen in 37 CFR 41.37(c)(1).

The brief does not contain a claims appendix as set forth in 37 CFR 41.37(c)(1)(viii).

The brief does not contain an evidence appendix as set forth in 37 CFR 41.37(c)(1)(ix).

The brief does not contain a related proceedings appendix as set forth in 37 CFR 41.37(c)(1)(x).

Appellant is required to comply with provisions of 37 CFR 1.192(c).

Appellant should file a substitute appeal brief in compliance with 37 CFR 41.37.

Appellant is required to comply with provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellant ~~must~~ comply with the provisions of 37 CFR 41.37(c) within ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication.

Extensions of time may be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890. The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DP  
David Parsley  
Patent Examiner  
Art Unit 3643

  
PETER M. POON  
SUPERVISORY PATENT EXAMINER

6/1/06